

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, AUGUST 7, 2006**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, August 7, 2006, with President Gray presiding.

Councillor Gibson led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Gray instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Abdullah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Cain recognized Mike Allen and Melissa Manlove of Noble Center. Councillor Mansfield introduced neighbor Mary Ellen Williams. Councillor Bateman recognized his wife, family, pastor and church family members in attendance this evening. Councillor Speedy welcomed Councillor Paul Bateman to the Council. Councillor Cockrum recognized former Councillor Steve Talley. Councillor Mansfield recognized Kerry Manders, executive director of the Crooked Creek Community Council. Councillor Sanders welcomed back Councillor Becky Langsford to the Council. Councillor Oliver recognized Larry Rhyme of the United Senior Action Center. Councillor Gray recognized Fire Department chiefs in attendance and Lula Patton of Pike Township. Councillor Cain recognized Sheriff Frank Anderson. Councillor Oliver introduced Hezekiah Walker with Young Men, Inc.

OFFICIAL COMMUNICATIONS

President Gray recognized Mayor Bart Peterson, who shared the following communication:

Thank you for sharing the responsibility of governing our great city during these dynamic and challenging times. I am presenting a budget this evening that is unusual in many respects, not least of which is that I intend to ask you to significantly revise it before passing it next month.

Every year I have been mayor, fighting crime has been the number one priority of my administration and of our city and county budgets. In my seven years, we have increased funding for public safety every year. In 2005 we agreed to raise the county option income tax and dedicate all the new revenue to public safety. In last year's budget we funded the first of the major reforms to the broken criminal justice system using the new income tax money. We have been paying for new jail beds since the beginning of the jail overcrowding crisis. From 2002 through the year covered by tonight's budget, the city and county will have funded 1,181 new jail beds!

2006 has been a year of increases in crime across the board. While this is a national trend – virtually every major city is experiencing their highest crime rates in years – we knew months ago we could not simply wish higher crime away. In June I announced a three-pronged attack on rising crime: (1) redeploying officers to put more force on the streets in a visible way, and other aggressive measures within our police department; (2) creating a neighborhood strike force to clean up and fix up vulnerable neighborhoods to send a clear message to criminals that we support our neighborhoods; and (3) re-engaging the faith community in our anti-crime efforts.

Clearly, there is more to be done. The events of this past Friday and Saturday have shocked us, but they only make us more determined to fight the scourge of crime in our city. We have fought this battle with much success in the past. The homicide record for Marion County was set in 1998. Together we did what it took to restore our city's deserved reputation as a safe city. We remain below that record pace, thankfully, but we must stop the upward trend in all types of crime we are seeing this year. And we will!

At an emergency meeting of the Criminal Justice Planning Council on Saturday, Sheriff Anderson and Chief Spears presented their plans to further increase the street strength of our law enforcement officers. Those plans were put into effect immediately. The Planning Council also discussed adding night court and making other changes in criminal court procedures, priorities and schedules right away to move more cases – and more jail inmates – through the system faster. I'm pleased to say the prosecutor and the public defender pledged their support, and just today I met with Judge Bradford and Judge Magnus Stinson to hear them outline a number of aggressive steps they are working on to move cases faster.

This, together with a significant addition of short-term jail beds, will move us toward the goal of quickly eliminating the early release of dangerous criminals from our jail. No one thinks these moves will instantly stop the crime wave, but there is consensus among the law enforcement and criminal justice professionals that these actions are absolutely necessary in light of recent events.

This dramatic escalation of our response is possible only with additional money. Tonight's budget contemplates a large increase in public safety spending, but not up to the level necessary to fund the changes suggested in the Planning Council meeting. As with a natural disaster, in which we would take all measures required to protect the health and safety of our people first and then find a way to pay for it later, we must fight this war now, even as we work together on the funding. No one will have a blank check and we will keep a close eye on every dollar spent, but it is clear now that public safety will be compromised without additional resources: Crime will continue to escalate, our residents will not feel safe, and the economic vitality of our region will suffer.

I want to work with you – the members of the City-County Council – and the Criminal Justice Planning Council to refine the scope of our actions and their costs. I expect to put a proposal for additional public safety funding before you in sufficient time for you to debate and pass it prior to the completion of the budget in September.

As we respond aggressively to the rise in crime, we must also seek a greater understanding of why it is happening. In response to a request from Council President Monroe Gray, I have asked Public

August 7, 2006

Safety Director Earl Morgan to work with President Gray and other community leaders to create a blue ribbon committee to examine the underlying problems that have led to this surge in violence. We must put some of the best minds of our community together to look behind the statistics and to recommend actions to prevent crime before it occurs.

Crime is obviously dominating the news and dominating our minds. But I think it is important to not lose sight of the many good things going on in Indianapolis. This summer, we received strong affirmation that our focused economic development incentives and support for growth-oriented businesses are yielding impressive results. The Federal Reserve Bank of Chicago released a report stating that Indianapolis outperformed other Midwestern cities in creating jobs and was the only large city tracked by the study to experience job growth between 2000 and 2005.

Also drawing strong attention is our charter schools program, which was honored with an Innovations in American Government Award by Harvard University earlier this year, becoming a national model for innovation in public education.

This year we reached an agreement with the United States Environmental Protection Agency to move forward with a plan to essentially end the discharge of raw sewage into our creeks and rivers over the next twenty years. You will see spending on sewer projects, septic system conversions and drainage projects in this budget, funded by the increased sewer fees you approved. I endorsed and our constituents overwhelmingly supported last fall. A new era of cleaner water is beginning in Indianapolis!

Along with healthier waterways, we will see new sidewalks, newly paved streets and the rehabilitation of abandoned homes as part of our Great Indy Neighborhoods initiative. We have already begun implementing the initiative on the Near East side, where neighborhood improvements will be paid for by the additional tax revenue generated by the redevelopment.

Our budget for 2007 reflects the priority we place on public safety, but it also recognizes that all successful cities share two traits – they are well-run and well-rounded. For seven years we have been frugal with the public's money. Setting aside appropriate annual increases for public safety, I have cut spending below the level that was in the budget I inherited in 2000. This in the face of contractually mandated cost increases, higher costs for just about everything we buy, and undeniable needs in the community. Our people have done more with less year after year, and I am very proud of them. Indeed, there has been no tax increase for city services over these seven years. And the city's portion of the property tax bills of our homeowners and businesses has declined 7% since 2000. In the last two years alone, I have ordered over \$80 million in spending cuts from approved budgets.

Tonight's budget continues that trend. Spending for the parts of the budget that are not directly involved with public safety is lower than last year. Spending on public safety is up by 11% before consideration of the additional costs I mentioned earlier.

With the merger of the Indianapolis Police Department and the law enforcement branch of the Marion County Sheriff's Department into the new Indianapolis Metropolitan Police Department, and the merger of the Washington Township Fire Department into the Indianapolis Fire Department, all effective January 1, 2007, we have essentially lost the distinction between city and county budgets.

In 2007, with these mergers, we begin realizing the dream of smaller, smarter, simplified, fully unified government here in Indianapolis. You will see the financial benefits in this budget. We project savings from both mergers to exceed previously announced targets. Indeed, we could not have put together a fully funded budget absent those savings. Better public safety protection and a lower bill to taxpayers. That's what we ought to be all about. Thank you for your support of the historic restructuring of local government here in Marion County!

I want to temper any enthusiasm you might be inclined to feel, however, by reminding you that with the exploding cost of police and fire pensions for officers and firefighters hired before 1977, we will never have an easy budget year. There will be a substantial increase in these costs every year for more than a generation to come. The expense will not start to decline until somewhere around 2030. That's why efficiency measures like the police and fire mergers are so important.

Police officers and Sheriff's deputies have the lead role in creating what will be the finest law enforcement agency in the United States - the new Indianapolis Metropolitan Police Department. I have enormous confidence in the leadership of Sheriff Frank Anderson and Chief Mike Spears. To make their job easier, this budget factors in pay parity for IPD officers as of the first day of the merger. When all the authorized recruits have been hired by the IMPD, there will be enough personnel to add 137 more sworn officers to the street by 2008.

The budgets of the prosecutor, the criminal courts, the crime lab and the other components of the criminal justice system have been increased significantly in this budget. And there's more to come. We have not included certain increases requested by several agencies because they have not yet been reviewed and approved by the Criminal Justice Planning Council. Assuming the Planning Council does approve some or all of these requests before the final vote on the budget, we have a plan for including the funding.

The reason we have taken this approach is that the Planning Council has proven to be an effective vehicle for setting priorities in a bipartisan fashion as we strive for long-overdue reforms in the county's criminal justice system. I am keenly aware that with all new governmental revenues going into criminal justice, every new dollar any city or county official wants to spend will magically turn out to be "critical" to fixing the broken criminal justice system. The Planning Council, chaired by Judge Cale Bradford, along with its "Thursday Afternoon Group" subcommittee, chaired by County Clerk Doris Anne Sadler, has shown itself to be invaluable at separating those things we want from those things we really need.

Data presented at the Planning Council earlier this year suggests that just a 15% reduction in the average arrestee's stay while awaiting trial in the Marion County Jail would eliminate the jail overcrowding problem. Fixing the process to move arrestees through it quicker and out of the jail is where the lion's share of the new criminal justice money appropriated by the City-County Council last year and that proposed in this budget will go. But until we see the necessary reforms work, we must buy jail beds to keep dangerous criminals off our streets and to restore the deterrent affect of a criminal arrest in our city. This budget funds all the approved jail beds, including \$1 million to repay the city sanitary fund for loaning money to pay for 200 temporary beds this year.

Public safety includes fire protection as well. We are moving forward with the historic merger of the Washington Township Fire Department into IFD. The people of Washington Township will have unprecedented new public safety resources and everyone in Marion County will benefit financially. The savings are evident in the budget that I'm presenting this evening.

I cannot conclude this presentation without a word or two about our wonderful city and county employees. When repeatedly asked to do more with less, they have stepped up to the challenge. I want to thank them for everything they do to help make Indianapolis a world-class city! I'm pleased to announce that our budget authorizes city department directors and county officials to provide a 3% raise to non-bargaining unit city and county employees! To those who might question such an expenditure in lean times, I would note that the raise gives these hardworking employees an average increase over the last four years of less than 1%.

The final matter I want to mention tonight is the disastrous consequences of certain mandates from the state that have plagued us for years here in Marion County. Specifically, the state-mandated tax increases for welfare and juvenile incarceration.

The annual bill we receive from the state-run Department of Child Services is skyrocketing, as has been well-documented in the media and well-discussed in this chamber. We do not control the expenditures, we do not hire or fire the employees, we do not select vendors or service providers, we simply pay the bill . . . whatever they tell us it is. Two years ago, the bill was \$70 million. For 2007, the state has told us to budget \$98 million. Taxes will go up by \$28 million to pay this bill. That is \$54 per year for a home valued at \$100,000; just for the increase! This program is run by the state. Its costs should be borne by the state. It is no exaggeration to say the state is balancing its budget on the backs of Marion County taxpayers!

The \$5 million charge for juvenile incarceration in 2007 will cause taxes to go up by \$8 per year for a home valued at \$100,000. We think this charge is unconstitutional and we are suing the state to have it eliminated and to get our money back. Under Indiana's constitution, the state is

August 7, 2006

responsible for the costs of incarcerating juveniles. The only good news here is that under juvenile court judge Marilyn Moores these annual charges have decreased from a high of nearly \$20 million per year.

This fall and through the next session of the General Assembly, I will work with other mayors and council members across the state to convince the Governor and state legislators to join us in the battle for property taxpayers. We'll ask them to reform the system that passes the costs of state government to local property taxpayers, and to give local governments the tools and the flexibility we need to be even more efficient, cost-effective and accountable to the citizens that elect us.

The next several weeks will be a rare opportunity for all of us. I look forward to working with you to enact a budget that continues the high standards that have defined the great city of Indianapolis in recent decades. For as long as I can remember, our city has never faced a challenge it did not meet. In that spirit, let us, together, get to work!

President Gray thanked the Mayor for his leadership in this time of challenges. He then recognized Councillor Ron Gibson for a brief update on the Kids Health Festival. Councillor Gibson stated thanked all those involved in the planning of the Second Annual Kids' Health Festival, which will be held on August 26, from 11:00 a.m. until 4:00 p.m. at the Glendale Mall. He said that \$30,000 in private donations has been raised, with another \$15,000 in in-kind contributions. He thanked the sponsors and donors for making this event possible and invited all Councillors and constituents to join him for this event.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 7, 2006, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Monroe Gray
President, City-County Council

July 14, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, July 19, 2006, a copy of a Notice of Public Hearing on Proposal Nos. 389 and 396-398, 2006, said hearing to be held on Monday, August 7, 2006, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

July 24, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, July 26, 2006 and in the *Indianapolis Star* on Thursday, July 27, 2006, a copy of a Notice of

Journal of the City-County Council

Public Hearing on Proposal No. 422, 2006, said hearing to be held on Monday, August 28, 2006, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

July 21, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

GENERAL ORDINANCE NO. 71, 2006 - approves the consolidation of the Washington Township Fire Department into the Indianapolis Fire Department on the effective date of January 1, 2007

SPECIAL RESOLUTION NO. 47, 2006 - recognizes Cordelia Lewis-Burks on her commitment to provide leadership and dignity for working families in the struggle for equality and justice through the vote

SPECIAL RESOLUTION NO. 48, 2006 - recognizes the delegation of mayors from Israel and the Palestinian Authority participating in the International Visitor Leadership Program

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Borst moved to include Proposal No. 398, 2006 under items for Public Hearing, as it was originally introduced as a fiscal and should remain as such. He added that he originally introduced this proposal and his name was taken off as sponsor when amended in committee, which is not allowed.

President Gray ruled Councillor Borst's motion out of order. Councillor Schneider asked for a vote on the Chair's ruling. The Chair's ruling was upheld on the following roll call vote; viz:

15 YEAS: Abdullah, Bateman, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders
13 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider
1 NOT VOTING: Speedy

Without further objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of July 17, 2006. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 372, 2006. The proposal, sponsored by Councillor Randolph, recognizes Youth Hoops of Indianapolis for its many accomplishments and contributions to the community.

August 7, 2006

Councillor Randolph stated that he will present this resolution to representatives at a later date and moved, seconded by Councillor Franklin, for adoption. Proposal No. 372, 2006 was adopted by a unanimous voice vote.

Proposal No. 372, 2006 was retitled SPECIAL RESOLUTION NO. 49, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 49, 2006

A SPECIAL RESOLUTION recognizing Youth Hoops of Indianapolis for its many accomplishments and contributions to the community.

WHEREAS, Youth Hoops of Indianapolis is a basketball program for young ladies ages 6 to teens or grades 1-12; and

WHEREAS, Youth Hoops is an extension of Youth Empowerment Ministries, Inc., a Not-for-Profit, Faith Based Organization, in which one of the goals is to meet the needs of young people through positive sporting activities; and

WHEREAS, Youth Hoops was founded by Juanita Gordon in 2002 and celebrated its fifth year with a banquet on Friday, June 9, 2006 at the Pike Freshman Center Cafeteria; and

WHEREAS, since the beginning of the program, Youth Hoops has served approximately 450 young ladies of which more than 67% have remained in the program with a total of 107 participants in the 2006 program; and

WHEREAS, Youth Hoops presents a Coach of the Year Award and utilizes Pike Schools for all its games and other activities; and

WHEREAS, Youth Hoops also awards one child from each of 12 teams with a mental attitude award in which the player has exhibited the qualities of an athlete with respect to leadership, attitude, discipline, and sportsmanship. This player would have also displayed a good approach to the game, players, coaches, officials, and the competition; and

WHEREAS, the organization strives to set the right example for children and has added a mentoring program, Circle of Sisters, which "coaches" young ladies in the areas of etiquette, finances, life and social skills, peer pressure, proper diet and exercise, appropriate friendships, and femininity; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Youth Hoops and Youth Empowerment Ministries, Inc. on its goal to create the best positive environment for children as they are the future leaders of tomorrow.

SECTION 2. The Council heartily encourages the organization to continue to support the youth and offer positive programs for their success.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 437, 2006. The proposal, sponsored by All Councillors, recognizes Steve Talley upon his resignation as a member of the City-County Council. Councillor Gray read the proposal and presented former Councillor Talley with a copy of the document and a Council pin. Mr. Talley said that he was fortunate to have been a part of this body and has received lots of advice that will help him in future endeavors. Councillor Gray moved, seconded by Councillor Conley, for adoption. Proposal No. 437, 2006 was adopted by a unanimous voice vote.

Proposal No. 437, 2006 was retitled SPECIAL RESOLUTION NO. 50, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 50, 2006

A SPECIAL RESOLUTION recognizing the accomplishments and service to the community by Steve Talley who resigned from the council effective July 18, 2006.

WHEREAS, Steve Talley, a child of Denmark, Tennessee, joined the Indianapolis family at age eight (8) has devoted his life to his family including his wife, Donna, their daughter and two (2) sons, and to public service; and,

WHEREAS, Mr. Talley was first elected to the council in 1995 and has ably served the 11th district becoming not only their voice on the council but also a person whose constituents also relied upon as a friend; and,

WHEREAS, in 2005 Mr. Talley was elected and served as President of the Council during which year he guided the council to pass significant legislation including the consolidation of law enforcement creating the new Indianapolis Metropolitan Law Enforcement Agency, the stadium and convention project and the smoking ordinance for the good of all of Marion County some of which were not the most popular challenges to be undertake; and,

WHEREAS, Mr. Talley was first to say that resources are scarce, yet he reached out to the council and the administration to help to begin the fix of jail overcrowding, to improve sanitary sewers reducing the noxious odors along Fall Creek and to start free public – private programs to educate and aid families, children and our seniors citizens with the start of the Childrens and Senior Health Festivals; and,

WHEREAS, Mr. Talley made extraordinary contributions to the council, his district, and to the greater community including in addition to his council duties service on the Board of Directors for the Social Health Association of Central Indiana, the Legacy House, the Indianapolis-Marion County Board of Ethics, the Meadows Fall Creek Civic League, the Devington Community Development Corporation, and gave his time willingly as a volunteer helping to make Indianapolis a true world class city; and,

WHEREAS, Mr. Talley has proven to be one dedicated to the improvement of our community, a hard worker who always kept his family and constituents first in his heart, a community activist, and a friend whose service to the council will long be remembered; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly, hereby, acknowledges and honors the extraordinary service and dedication to our community by Steve Talley.

SECTION 2. The Council salutes his achievements, acknowledges his dedication and knows that he will continue to work for our community in his new position and all share in wishing the best for him as he continues in public service.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 438, 2006. The proposal, sponsored by Councillors Pfisterer and Borst, recognizes Max Schumacher for 50 years of service with the Indianapolis Indians. Councillor Pfisterer read the proposal and presented Mr. Schumacher with a copy of the document and a Council pin. Mr. Schumacher thanked the Council for their support over the years in recognizing championships and supporting the construction of Victory Field. He said that there is no better place to operate a team than in Indianapolis. Councillor Pfisterer moved, seconded by Councillor Borst, for adoption. Proposal No. 438, 2006 was adopted by a unanimous voice vote.

Proposal No. 438, 2006 was retitled SPECIAL RESOLUTION NO. 51, 2006, and reads as follows:

August 7, 2006

CITY-COUNTY SPECIAL RESOLUTION NO. 51, 2006

A SPECIAL RESOLUTION recognizing Max Schumacher for 50 years of service with the Indianapolis Indians.

WHEREAS, Mr. Schumacher began his career in professional baseball as Ticket Manager of the Indians in January, 1957, and assumed added duties of Publicity Director during the 1959 and 1960 seasons; and

WHEREAS, Mr. Schumacher was promoted to General Manager in 1961 and served until 1997. He was elected President in April, 1969 and became Chairman of the Board in August, 1997; and

WHEREAS, Mr. Schumacher was born October 21, 1932, in Indianapolis, he graduated from Shortridge High School in 1950 and from Butler University in 1954; and

WHEREAS, Mr. Schumacher was captain of the baseball team at Shortridge, editor of The Collegian at Butler, and a four-year member of the Butler varsity baseball team; and

WHEREAS, in 1988, Mr. Schumacher was selected recipient of the John H. Johnson President's Award that is presented to the individual most closely associated with a Minor League Baseball team who "best exemplifies the standards of a complete baseball franchise.", He was inducted in the Butler Athletic Hall of Fame in 2005; and

WHEREAS, during Schumacher's tenure with the Indians, Indianapolis captured division titles in 1963, 1971, 1974, 1978, 1982, 1986, 1988, 1989 and 2000, and the Indians won regular season league Pennants in 1961, 1962, 1984, 1994 and 1995. The Indians also won League Championships in 1963, 1982, 1986, 1987, 1988, 1989, 1994, and in 2000, while also winning the Triple-A World Series title; and

WHEREAS, Mr. Schumacher was voted American Association's "Executive of the Year" in 1996, and Professional Baseball's "King of Baseball" in 1997 for "long-time dedication and service to the game"; and

WHEREAS, Baseball America named Victory Field, the downtown Indianapolis home of the Indians, the "Best Minor League Ballpark in America" in 1999 and honored the Indianapolis Indians as the Minor League franchise leader for the decade of the 1990's in 2000; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Max Schumacher for his many accomplishments with the Indianapolis Indians and his dedication to their long-time success.

SECTION 2. The Council heartily congratulates Max Schumacher on 50 years of service and commitment.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 439, 2006. The proposal, sponsored by Councillor Bradford, recognizes the Indiana State Fair. Councillor Bradford stated that he will present the proposal to representatives at a later time. He moved, seconded by Councillor Gibson, for adoption. Proposal No. 439, 2006 was adopted by a unanimous voice vote.

Proposal No. 439, 2006 was retitled SPECIAL RESOLUTION NO. 52, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 2006

A SPECIAL RESOLUTION recognizing the Indiana State Fair.

WHEREAS, The Indiana State Fair is the sixth oldest state fair in the nation, originating in 1852 at Military Park in downtown Indianapolis; and

WHEREAS, The Indiana State Fair has been held every year with the exceptions of 1861(Civil War) and 1942-1945(WW II); and

WHEREAS, Many celebrities have visited the State Fairgrounds on their way to fame from The Beatles, Cassius Clay, and Elvis to the American Idols Live tour and Rascal Flatts; and

WHEREAS, The heaviest hog to ever enter the World's largest Male Hog Contest at the fair is Spots Stallone, who weighed 1400 pounds in 1992 and was champion for five consecutive years; and

WHEREAS, The Indiana State Fair generates \$20 million or more annually to the Indianapolis economy, which makes it one of Indianapolis' most important annual events; and

WHEREAS, The Indiana State Fair will be held this year from August 9th to August 20th, 2006; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis and Marion County congratulates the Indiana State Fair on her 150th year and wishes her another successful 150 years of excellence.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 440, 2006. The proposal, sponsored by Councillors Oliver, Franklin, Conley, Brown, Gray and Bateman, recognizes Young Men, Inc., an outreach ministry of the Great Commission Church of God. Councillor Oliver read the proposal and presented copies of the document and Council pins to representatives. Hezekiah Walker, Young Men, Inc., thanked the Council for the recognition and said that this program strives to empower and mentor young men to help them take control of their lives and give back to the community. Councillor Oliver moved, seconded by Councillor Brown, for adoption. Proposal No. 440, 2006 was adopted by a unanimous voice vote.

Proposal No. 440, 2006 was retitled SPECIAL RESOLUTION NO. 53, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 2006

A SPECIAL RESOLUTION recognizing Young Men Inc., an outreach ministry of the Great Commission Church of God.

WHEREAS, Young Men Inc. (YMI) was founded in 1993 by Reverend Malachi Walker, a 23-year veteran of the Indianapolis Fire Department, who contributed 72 hours per summer of personal vacation time per summer to the YMI program; and

WHEREAS, YMI's mission is to empower African American and other at-risk males mentally, physically, emotionally and spiritually, to survive the challenges that exist in their lives; and

WHEREAS, the purpose of YMI is to foster an attitude of achievement for young men by providing them with the knowledge and skills necessary to achieve positive direction in life; and

August 7, 2006

WHEREAS, YMI has empowered more than 600 African American males throughout the City of Indianapolis, and its Summer Empowerment Camp has grown from servicing 22 young men in 1993 to servicing more than 65 in 2005; and

WHEREAS, the goals of the Summer Empowerment Camp are to empower participants to take control of their lives, accept responsibility for their actions, and gain the strength and courage to help rebuild their communities, as well as to provide participants with skills that are morally sound and socially acceptable when dealing with gang violence, peer pressure, family relationships, health, recreation, career, community and educational development; and

WHEREAS, YMI also works to provide African-American and other at-risk males, ages 9-16, with positive leadership and interaction with males who serve as role models to combat negative role models that may be portrayed in their environment; now therefore,

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Young Men Inc. Youth Ministry and its commitment to provide the necessary tools for at-risk males to make decisions that will increase their chances for success in life.

SECTION 2. The Council heartily congratulates Reverend Malachi Walker and the YMI volunteers for their dedication and tireless service to the young men of Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 441, 2006. The proposal, sponsored by Councillors Oliver, Gibson, Brown, Sanders and Bateman, recognizes Sandra Dillard-Morton. Councillor Gibson read the proposal and presented Ms. Morton with a copy of the document and a Council pin. Ms. Bateman thanked the Council for the recognition. Councillor Gibson moved, seconded by Councillor Oliver, for adoption. Proposal No. 441, 2006 was adopted by a unanimous voice vote.

Proposal No. 441, 2006 was retitled COUNCIL RESOLUTION NO. 95 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 95, 2006

A COUNCIL RESOLUTION recognizing Sandra Dillard-Morton.

WHEREAS, Ms. Morton is a 27-year veteran of IndyGo and provides public transportation for one of their most popular routes. She has shown selfless compassion for others and has contributed to IndyGo enhancing services to better serve its customers; and

WHEREAS, guided by strong principles and an unyielding desire to help, Ms. Morton has used the loss of her 15-year-old daughter to help increase the awareness about sickle cell anemia by often guiding families through their grieving process. She has also taught herself to speak Spanish to better communicate with a growing Hispanic/Latino customer base, which reflects her remarkable ability to think outside of the box; and

WHEREAS, Ms. Morton serves on a committee that reviews IndyGo's bus stops and shelters and assists with the bus system's United Way campaign. She is Vice President of IndyGo's 20-year club and helps organize an annual event to welcome 20-year veterans by encouraging them to continue their efforts with delivering quality public transportation services; and

WHEREAS, Ms. Morton has assisted the Martin Center in raising funds for sickle cell anemia, serving as a primary contact for sickle cell families, leading support groups and facilitating special events and health fairs; and

WHEREAS, Ms. Morton's daughter, Angela Watson, was the first teenager to receive the Martin Center's annual Youth Award, which is now named after her and is presented each year by her and her family to a teenager who has succeeded against challenging situations; and

WHEREAS, Ms. Morton is also an elder for Trinity Lutheran Church's Girls to Women program, in which she mentors girls ages 13-18 and assists them with life skills related to their emotions, relationships, education and other subject matters; and

WHEREAS, Ms. Morton provided a nurturing family and home for two of her nieces and goes out of her way to help people. She is a good example of what one can become if one is open and inviting to others; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Sandra Dillard-Morton for her dedication and compassion to all people including her passengers.

SECTION 2. The Council heartily commends Ms. Morton as her good deeds are a part of what public transportation does to help improve the quality of life.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 442, 2006. The proposal, sponsored by Councillor Mansfield, recognizes Crooked Creek Community Council, Inc (C4) for its recent donation to Indy Parks for a new bridge in the Crooked Creek Community Juan Solomon Park. Councillor Mansfield read the proposal and presented representatives with copies of the document. She moved, seconded by Councillor Sanders, for adoption. Proposal No. 442, 2006 was adopted by a unanimous voice vote.

Proposal No. 442, 2006 was retitled SPECIAL RESOLUTION NO. 54, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 2006

A SPECIAL RESOLUTION recognizing Crooked Creek Community Council, Inc. (C4) for its recent donation to Indy Parks for a new bridge in the Crooked Creek Community Juan Solomon Park.

WHEREAS, C4 raised \$500,000 in 1994 and 1995 to expand the Juan Solomon Park by an additional 22 acres and leveraged the funds to provide a new trail system in the park, as well as to improve the tennis court, soccer field, playground and shelter; and

WHEREAS, expansion of the Juan Solomon Park benefits the entire Indianapolis community by providing conservation, recreation, restoration and protection of native biological diversity within the city limits of Indianapolis, Indiana; and

WHEREAS, C4 is the first neighborhood based organization to raise funds to buy park land for Indy Parks and the first neighborhood group to give park land to Indy Parks; and

WHEREAS, the expansion project was the first project to receive funds from Indiana Heritage Trust, which is funded by environmental license plate sales. In addition, the project received the "Neighborhood of the Year Award" from Neighborhoods USA, the "Neighborhood Achievement Award" from the Indianapolis Neighborhood Resource Center, and the "Best Partner Award" from Indy Parks; and

WHEREAS, C4's stewardship of the community meets critical needs that would otherwise not be fulfilled and the expansion of the park preserves this natural resource for generations to enjoy; and

WHEREAS, in 1999, a concrete bridge across Crooked Creek was installed as a result of the expansion project to link the two adjacent sections of the park. The bridge was destroyed in 2001 by flood waters; and

August 7, 2006

WHEREAS, C4 recently donated \$10,000 to Indy Parks Foundation, which was donated from numerous members of the Crooked Creek community, to complete fund raising for the new bridge to provide access from the original park to the expanded park property; and

WHEREAS, the new bridge will be made of lightweight, fiberglass and will be able to be constructed on site, without the necessity of clearing a path for transportation of heavy equipment; and

WHEREAS, the bridge is scheduled to be delivered by the end of August, 2006, with installation anticipated to begin in September, 2006; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Crooked Creek Community Council, Inc. for its leadership in advocating, raising funds and supporting the Crooked Creek Community Juan Solomon Park project.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 443, 2006. The proposal, sponsored by Councillor Mansfield, recognizes Ovar'coming Together's 10th Anniversary. Councillor Mansfield read the proposal and presented copies of the document and Council pins to representatives. Mary Williams and Annie Smith, Ovar'coming Together, thanked the Council for the recognition. Councillor Mansfield moved, seconded by Councillor Nytes, for adoption. Proposal No. 443, 2006 was adopted by a unanimous voice vote.

Proposal No. 443, 2006 was retitled SPECIAL RESOLUTION NO. 55, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 2006

A SPECIAL RESOLUTION recognizing Ovar'coming Together's 10th Anniversary.

WHEREAS, Ovar'coming Together is a local organization that was founded by three Indianapolis area ovarian cancer survivors, Pam Faerber, Nancy Hines, and Kai Binford; and

WHEREAS, Ovar'coming Together is devoted to informing and educating women about ovarian cancer risks, signs and symptoms, as ovarian cancer is the deadliest of all gynecologic cancers; and

WHEREAS, Over 22,000 women, including 600 Hoosiers, will be diagnosed with ovarian cancer this year alone, and it is vitally important to continue researching this disease as attempts are made to find effective screening methods and to develop improved therapies; and

WHEREAS, Ovar'coming Together provides grants for research to find a reliable test specifically for ovarian cancer and a cure, as well as provides written and verbal messages for women through health fairs and the annual "Turn UP the Volume!" run and walk, which will be held this year on August 26th; and

WHEREAS, September is the National Ovarian Cancer Awareness month, in which Ovar'coming Together will host a 10th anniversary Gala on Saturday, September 30, 2006; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Ovar'coming Together and its dedication to unify cancer organizations and the medical community to raise awareness about ovarian cancer.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 261, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal NO. 261, 2006 on May 16 and July 18, 2006. The proposal, sponsored by Councillors Randolph, Franklin, Schneider and Pfisterer, permits the Chairman of the Municipal Corporations Committee to strongly encourage binding arbitration for all parties involved in the Indianapolis Marion County Public Library (IMCPL) legal dispute and authorizes a study to be conducted by a qualified, outside non-partisan organization to explore the financial impact of binding arbitrations as well as an appropriate form of public/private partnership as a viable alternative to an increase in property tax. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Boyd moved, seconded by Councillor Gibson, to strike. Proposal No. 261, 2006 was stricken by voice vote.

PROPOSAL NO. 364, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 364, 2006 on July 31, 2006. The proposal, sponsored by Councillors Gray, Conley and Brown, reappoints Amy Marks Callahan to the Indianapolis Air Pollution Control Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum said that Ms. Callahan had an 82% attendance record last year, but has not attended any meetings since May of this year, and is therefore at only 50%. He encouraged the chairman to speak with Ms. Callahan regarding the need to attend all future meetings in order to meet the 70% benchmark for attendance.

Councillor Mahern moved, seconded by Councillor Nytes, for adoption. Proposal No. 364, 2006 was adopted by a unanimous voice vote.

Proposal No. 364, 2006 was retitled COUNCIL RESOLUTION NO. 96, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 96, 2006
A COUNCIL RESOLUTION reappointing Amy Marks Callahan to the Indianapolis Air Pollution Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Air Pollution Control Board, the Council reappoints:

Amy Marks Callahan

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until such earlier date as a successor is appointed and qualifies.

PROPOSAL NO. 365, 2006. Councillor Brown reported that the Parks and Recreation Committee heard Proposal No. 365, 2006 on July 20, 2006. The proposal, sponsored by Councillors Brown, Gray and Conley, appoints Steve Rudner to the Indianapolis Greenways Development Committee. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Brown moved, seconded by Councillor Conley, for adoption. Proposal No. 365, 2006 was adopted by a unanimous voice vote.

August 7, 2006

Proposal No. 365, 2006 was retitled COUNCIL RESOLUTION NO. 97, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 97, 2006

A COUNCIL RESOLUTION appointing Steve Rudner to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council appoints:

Steve Rudner

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Councillor Sanders reported that the Administration and Finance Committee heard Proposal Nos. 387 and 388, 2006 on August 3, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 387, 2006. The proposal, sponsored by Councillors Conley, Brown, Gray, Abdullallah, Oliver, Moriarty Adams, Bowes, Mansfield, Franklin and Gibson, approves the Mayor's appointment of Sherlonda Anderson as the Director of the Department of Administration and Equal Opportunity. PROPOSAL NO. 388, 2006. The proposal, sponsored by Councillors Moriarty Adams and Conley, approves the Mayor's appointment of Katherine E. Aeschliman as hearing officer to preside over the administrative adjudication of parking citations. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Sanders moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 387 and 388, 2006 were adopted by a unanimous voice vote.

Proposal No. 387, 2006 was retitled COUNCIL RESOLUTION NO. 98, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 98, 2006

A COUNCIL RESOLUTION approving the Mayor's appointment of Sherlonda Anderson as the Director of the Department of Administration and Equal Opportunity for a term ending December 31, 2006, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Administration and Equal Opportunity is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Sherlonda Anderson to serve as Director of the Department of Administration and Equal Opportunity at his pleasure for a term ending December 31, 2006; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sherlonda Anderson is approved and confirmed by the City-County Council to serve as the Director of the Department of Administration and Equal Opportunity for a term ending December 31, 2006, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 388, 2006 was retitled COUNCIL RESOLUTION NO. 99, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 99, 2006

A COUNCIL RESOLUTION approving the Mayor's appointment of Katherine E. Aeschliman as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Katherine E. Aeschliman to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Katherine E. Aeschliman is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 392, 393 and 405, 2006 on July 19, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 392, 2006. The proposal, sponsored by Councillors Conley, Gray, Brown, Abdullah, Bowes, Moriarty Adams, Oliver, Mansfield, Franklin and Gibson, approves the Mayor's appointment of Earl S. Morgan, Sr. as the Director of the Department of Public Safety. PROPOSAL NO. 393, 2006. The proposal, sponsored by Councillors Gray, Conley, Brown and Gibson, appoints Judith Hawley Conley to the Juvenile Detention Advisory Board. PROPOSAL NO. 405, 2006. The proposal, sponsored by Councillor Borst, appoints James Bradford to the Juvenile Detention Advisory Board. The Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 392, 393 and 405, 2006 were adopted by a unanimous voice vote.

Proposal No. 392, 2006 was retitled COUNCIL RESOLUTION NO. 101, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 101, 2006

A COUNCIL RESOLUTION approving the Mayor's appointment of Earl S. Morgan Sr. as the Director of the Department of Public Safety for a term ending December 31, 2006, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Public Safety is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Earl S. Morgan Sr. to serve as Director of the Department of Public Safety at his pleasure for a term ending December 31, 2006; now, therefore:

August 7, 2006

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Earl S. Morgan Sr. is approved and confirmed by the City-County Council to serve as the Director of the Department of Public Safety for a term ending December 31, 2006, and until a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 393, 2006 was retitled COUNCIL RESOLUTION NO. 102, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 102, 2006

A COUNCIL RESOLUTION appointing Judith Hawley Conley to the Juvenile Detention Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Advisory Board, the Council appoints:

Judith Hawley Conley

SECTION 2. The person appointed by this resolution shall serve at the pleasure of the Council or until such earlier date as a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 405, 2006 was retitled COUNCIL RESOLUTION NO. 103, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 103, 2006

A COUNCIL RESOLUTION appointing James Bradford to the Juvenile Detention Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Advisory Board, the Council appoints:

James Bradford

SECTION 2. The person appointed by this resolution shall serve at the pleasure of the Council or until such earlier date as a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 399, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 399, 2006 on July 19, 2006. The proposal, sponsored by Councillors Conley, Brown, Sanders, Gibson and Boyd, appoints David Woodruff, a neighborhood organization representative, to the Wellfield Education Corporation Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 399, 2006 was adopted by a unanimous voice vote.

Proposal No. 399, 2006 was retitled COUNCIL RESOLUTION NO. 100, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 100, 2006

A COUNCIL RESOLUTION appointing David Woodruff to the Wellfield Education Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Wellfield Education Corporation Board, the Council appoints:

David Woodruff

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until such earlier date as a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 422, 2006. Introduced by Councillors Moriarty Adams, Oliver and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$1,100,000 in the 2006 Budget of the Marion County Sheriff (County General Fund) to contract for additional jail beds beginning in 2006"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 423, 2006. Introduced by Councillor Schneider. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$3,114,000 in the 2006 Budget of the Marion County Sheriff (Consolidated County Fund) to fund rental of additional jail beds under contracts with the Department of Corrections and Corrections Corporation of America"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 424, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to authorize a new general fee to be known as the "police department vehicle inspection fee""; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 425, 2006. Introduced by Councillors McWhirter and Borst. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code by adopting provisions for permits for certain charitable solicitation activities"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 426, 2006. Introduced by Councillor Randolph. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes and directs the city-county internal audit agency to conduct a comprehensive audit of the Marion County criminal justice system to identify both efficiencies and inefficiencies in the system"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 427, 2006. Introduced by Councillors Franklin and Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code with respect to training and employment opportunities for the underemployed, unemployed and for persons

who have been previously incarcerated or suffered a felony conviction"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 428, 2006. Introduced by Councillors Moriarty Adams and Randolph. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which elects to fund MECA in 2007 with County Option Income Tax (COIT) Revenues"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 429, 2006. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approves the issuance of "City of Indianapolis, Indiana, Limited Recourse County Option Income Tax Revenue Anticipation Notes" in an original aggregate principal amount not to exceed \$36,000,000"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 430, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a P.S.S.D.F.O. which adopts the annual budget for the Police Special Service District for 2007"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 431, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a F.S.S.D.F.O. which adopts the annual budget for the Fire Special Service District for 2007"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 432, 2006. Introduced by Councillor Conley. The Clerk read the proposal entitled: "A Proposal for a S.W.C.S.S.D.F.O. which adopts the annual budget for the Solid Waste Collection Special Service District for 2007"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 433, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Metropolitan Emergency Communications Agency for 2007"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 434, 2006. Introduced by Councillor Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Revenue Bonds Debt Service Funds for 2007"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 435, 2006. Introduced by Councillor Bowes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Marion County Office of Family and Children for 2007"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 436, 2006. Introduced by Councillors Gray, Sanders and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for Indianapolis and Marion County for 2007"; and the President referred it to the Various Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 444, 2006, PROPOSAL NO. 445, 2006, PROPOSAL NOS. 446-447, 2006 and PROPOSAL NOS. 448-451, 2006. Introduced by Councillor Mahern. Proposal No. 444, 2006, Proposal No. 445, 2006, Proposal Nos. 446-447, 2006 and Proposal Nos. 448-451, 2006 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 26 and 28, 2006. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 117-124, 2006, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 117, 2006.

2006-ZON-033

1701 NORTH PENNSYLVANIA STREET (Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

MANSUR REAL ESTATE SERVICES, INC., requests rezoning of approximately 3.1 acres, from the D-8 District, to the C-3-C classification to provide for the use of existing buildings for a charter high school, art museum, and residences and the construction of 7 live/work townhomes.

REZONING ORDINANCE NO. 118, 2006.

2006-ZON-025

901 FORT WAYNE AVENUE (Approximate Address) INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9

AMERICAN RED CROSS OF GREATER INDIANAPOLIS, by Christopher D. Long, requests rezoning of 3.97 acres, from the C-S (RC) District, to the CBD-2 (RC) classification to legally establish offices and a parking garage, and to provide for a 120-foot tall emergency communications tower to replace an existing 120-foot tall emergency communications tower.

REZONING ORDINANCE NO. 119, 2006.

2005-ZON-215 (AMENDED)

5640 SOUTH EMERSON AVENUE (Approximate Addresses), INDIANAPOLIS
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.

MAINSTAY, INC., by Philip A. Nicely, requests a rezoning of 1.824 acres, being in the D-A District, to the C-1 classification to provide for the construction of office buildings.

REZONING ORDINANCE NO. 120, 2006.

2005-ZON-215A (AMENDED)

5640 SOUTH EMERSON AVENUE (Approximate Addresses), INDIANAPOLIS
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 24.

MAINSTAY, INC., by Philip A. Nicely, requests a rezoning of 0.263 acre, being in the D-A District, to the D-P classification to correct an error in the legal description for 2004-ZON-078 (2004-DP-005).

REZONING ORDINANCE NO. 121, 2006.

2005-ZON-857

5901, 5915, 5935 AND 5955 SOUTH EMERSON AVENUE (Approximate Address),
INDIANAPOLIS

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

BAIRD & YOUNG, LLC, by David A. Retherford requests rezoning of 6.556 acres, being in the D-A District, to the C-S classification to provide for the expansion of an office/commercial center, with C-1 and limited C-3 uses and a fitness center.

REZONING ORDINANCE NO. 122, 2006.

2006-ZON-039 (2006-DP-001)

8136 HAYWORTH ROAD (Approximate Address), INDIANAPOLIS
DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22

August 7, 2006

ROBERT AND KATHLEEN CLIPP requests rezoning of 19.88 acres, from the D-A District, to the D-P classification to provide for the construction of three single-family dwellings to make a total of four single-family dwellings on individual lots, with two lots having no frontage on a public street, with access provided by two separate access easements.

REZONING ORDINANCE NO. 123, 2006.

2006-ZON-049

6135 EAST 82ND STREET (Approximate Address), INDIANAPOLIS

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

OB COMPANIES, by Philip A. Nicely requests rezoning of 1.98 acres, from the C-4 District, to the C-S classification to provide for all C-4 uses and mini-warehouses.

REZONING ORDINANCE NO. 124, 2006.

2006-ZON-055

630 FLETCHER AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

ROBB AND VIRGINIA BIDDINGER by David Gilman requests rezoning of 0.35 acres, from the I-4-U District to the C-3-C classification to provide for commercial use at the property.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Sanders reported that the Administration and Finance Committee heard Proposal Nos. 389 and 390, 2006 on August 3, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 389, 2006. The proposal, sponsored by Councillors Sanders, Conley, Nytes, Moriarty Adams and Keller, authorizes the issuance and sale of one or more series of notes to procure funds to provide for the purchase or lease of certain equipment, vehicles and related capital items and appropriates such sum, not to exceed \$12,250,000. PROPOSAL NO. 390, 2006. The proposal, sponsored by Councillors Sanders, Nytes, Oliver, Mahern and Keller, approves the issuance of limited recourse notes of the Redevelopment District for the purpose of paying the cost of redevelopment, including the construction of certain public infrastructure improvements, in the Near Eastside Redevelopment Area. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Pfisterer said that the cost per unit seems high for those items slated to be purchased in Proposal No. 389, 2006. She said that the City needs to look at the State's QPA to see if the cost per unit could be reduced. She said that some of those prices are up to \$3,000 over the State QPA costs.

Councillor Borst asked what revenue stream will be used to pay these notes. Barbara Lawrence, Indianapolis Public Improvement Bond Bank, said that they are looking at a variety of financing options, and the costs will show up as Character 04 expenditures in individual budgets.

Councillor Keller said that these are in his district and will help to fight crime. He said that the neighborhood groups support this proposal.

President Gray called for public testimony at 8:52 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal Nos. 389 and 390, 2006 were adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider*
0 NAYS:

Proposal No. 389, 2006 was retitled SPECIAL ORDINANCE NO. 4, 2006, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 2006

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana (the "City"), and the County of Marion, Indiana (the "County"), authorizing the issuance and sale of one or more series of notes of the City for the purpose of procuring funds to provide for the purchase or lease of certain equipment, vehicles and related capital items, including all expenses in connection with or on account of the issuance of notes therefor, and appropriating the sum of not to exceed Twelve Million Two Hundred Fifty Thousand Dollars (\$12,250,000) for such purposes.

WHEREAS, various departments, agencies, and boards of the City of Indianapolis, Indiana, from time to time find that it is in the best interest of the City and its citizens to provide for the purchase or lease of certain equipment, vehicles and related capital items; and

WHEREAS, the City has received, and in the future expects to receive, requests from the various departments, agencies, and boards of the City requesting the City to issue and to appropriate the proceeds of notes of the City for the purpose of procuring funds for the costs for certain equipment, vehicles, and related capital items; and

WHEREAS, the City is authorized by Indiana Code 36-3-4-22(b) to make loans of money for not more than five years and to issue notes to refund those loans, for the purpose of procuring money to be used in the exercise of the powers of the City; and

WHEREAS, the costs of certain equipment, vehicles, and related capital items described in Appendix I attached hereto, together with substantially similar or related capital items (the "Projects") necessitate a further appropriation, and a request for such appropriation in an amount not to exceed Twelve Million Two Hundred Fifty Thousand Dollars (\$12,250,000), and all investments earnings thereon, for these purposes has been filed, which request has been approved by the Controller with the recommendation that the total funds necessary to cover the appropriation be obtained by the issuance and sale of one or more series of tax revenue notes of the City; and

WHEREAS, this City-County Council did not include the proceeds of such notes of the City in the regular budget; and

WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the cost of the Projects, and the issuance of one or more series of notes designated "City of Indianapolis Tax Revenue Notes, Series 2006" has been authorized to procure the necessary funds and an extraordinary emergency and necessity exists for the making of the additional appropriation set out herein; and

WHEREAS, the Clerk of this City-County Council has caused notice of a hearing on the appropriation to be published as required by law; and

WHEREAS, such public hearing on such appropriation was held at the meeting of this City-County Council on August 7, 2006, at 7:00 p.m. E.S.T., in the Public Assembly Room, on the Second Floor of the City-County Building, Indianapolis, Indiana, at which all taxpayers and interested persons had an opportunity to appear and express their views as to such additional appropriation; and

WHEREAS, Indiana Code 5-1.4 provides that a "qualified entity," which term includes the City, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase one or more series of Notes (as hereinafter defined) in negotiated sales subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that it will be in the best interest of the City to sell each series of Notes to the Bond Bank in a negotiated sale; and

WHEREAS, the City-County Council now finds that the Projects are necessary and will be of general benefit to the City of Indianapolis, Indiana, and its citizens and desires to authorize the issuance of the Notes; now, therefore:

August 7, 2006

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City shall proceed with the Projects (and any substantially similar or related capital items in an amount not to exceed the contingency set forth in Appendix I hereto), including all expenses in connection with or on account of the issuance of one or more series of notes therefor.

SECTION 2. For the purpose of procuring funds to pay for the Projects, including all expenses in connection with or on account of the issuance of one or more series of notes therefor, the City shall enter into a loan in an amount not to exceed Twelve Million Two Hundred Fifty Thousand Dollars (\$12,250,000).

In order to procure the funds for such loan, the Controller of the City (the "Controller") is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank one or more series of tax revenue notes of the City, which notes of the City shall be designated as "City of Indianapolis Tax Revenue Notes, Series 2006," in an aggregate principal amount not to exceed Twelve Million Two Hundred Fifty Thousand Dollars (\$12,250,000) (the "Notes"). The final aggregate principal amount of any series of Notes, together with any outstanding Notes of other series or other outstanding loans of money made by the City pursuant to Indiana Code 36-3-4-22(b), shall not exceed five percent (5%) of the City's total tax levy in the year in which such series of Notes is issued (excluding amounts levied to pay debt service and lease rentals), and shall be certified by the City Controller prior to the sale of such series of Notes. Such certificate shall be conclusive for purposes of establishing the final aggregate principal amount of a series of Notes.

Each series of Notes shall have a final maturity no later than December 1, 2011, in amounts negotiated with the Bond Bank, shall have a net interest cost which does not exceed eight percent (8%) per annum, shall be sold at par or with a discount which does not exceed two percent (2%) of the principal amount thereof, shall be in a form, substance and content approved by the Controller and the Mayor of the City (the "Mayor"), as conclusively evidenced by their signatures on the same. Principal of and interest on the Notes shall be payable no less frequently than annually with a final maturity schedule to be certified by the Controller prior to the issuance and sale of any Note. The final maturity schedule shall be structured to provide for approximately level debt service payments on an annual basis.

In accordance with the provisions of Indiana Code 36-3-4-22, the City hereby pledges a sufficient amount of the tax revenues received by the City at any time during the five-year period commencing on the date of issuance of the first series of Notes to the punctual payment of the principal and interest on such series of Notes; provided, however, that the Notes shall not be deemed to be a general obligation of the City payable out of unlimited ad valorem taxes to be levied and collected on all of the taxable property in the City, and the Notes shall contain on their face a statement to such effect.

A series of Notes or a portion thereof may be redeemable prior to maturity upon terms and conditions as are further detailed through negotiation with the Bond Bank by the Controller and the Mayor consistent with the best interest of the City and the terms of this Special Ordinance. Notes redeemed in part may be exchanged for a Note or Notes of the same series and maturity in authorized denominations equal to the remaining principal amount.

SECTION 3. The Controller and the Mayor are hereby authorized and directed to sell each series of the Notes to the Bond Bank at a negotiated sale pursuant to a Qualified Entity Purchase Agreement between the City and the Bond Bank (the "Qualified Entity Purchase Agreement") with such Qualified Entity Purchase Agreement to be in a form, substance and content approved by the Controller and the Mayor, as conclusively evidenced by their signatures on the same. The Qualified Entity Purchase Agreement may set forth the definitive terms and conditions for such sale, but all of such terms and conditions must be consistent with the terms and conditions of this Special Ordinance, including without limitation, the interest rate or rates on the Notes which shall not exceed the maximum authorized rate of interest for the Notes pursuant to this Special Ordinance and the final maturity schedule which shall require payment of principal of and interest on the Notes no less frequently than annually.

Prior to delivery of the Notes (and as may be necessary thereafter), the Controller shall obtain a legal opinion as to the validity of the Notes and shall furnish such opinion addressed to the Bond Bank. The cost of such opinions shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the Notes or the notes issued by the Bond Bank. Each series of Notes shall be accompanied by all documentation required by the Bond Bank pursuant to Indiana Code 5-1.4 and the Qualified Entity Purchase Agreement.

SECTION 4. The City-County Council hereby authorizes and directs the Mayor, the Controller, the Clerk, the Treasurer of the County, ex-officio Treasurer of the City, or any other officer of the City and

each of them, for and on behalf of the City, to prepare, execute, and deliver any and all other instruments, letters, certificates, agreements, and documents as the official executing the same determines is necessary or appropriate to effect the pledge of tax revenues and to consummate the transactions contemplated by this Special Ordinance, and such determination shall be conclusively evidenced by the execution thereof.

SECTION 5. The Mayor is hereby authorized and directed to execute, and the Controller is hereby authorized and directed to attest and affix the seal of the City to, the Notes and the Qualified Entity Purchase Agreement in such form as they deem necessary or appropriate to consummate the transaction contemplated hereby provided that such shall not increase the interest rates, principal amount or discount in excess of that authorized in Section 2 or increase the security or revenues pledged in this Special Ordinance, and such execution and attestation shall be conclusive evidence of their approval of such changes and revisions. The Notes and the Qualified Entity Purchase Agreement in the forms executed shall constitute the valid, legal, and binding agreements of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

SECTION 6. The Mayor is hereby authorized to execute the Notes with his manual or facsimile signature, and the Controller is hereby authorized to attest the Notes with his manual or facsimile signature, and cause the seal of the City to be impressed or a facsimile thereof to be printed on the Notes, all in the form and manner herein provided. Upon the consummation of the sale of each series of the Notes, the Controller and the Treasurer of the County, ex-officio Treasurer of the City, shall be authorized to receive from the Bond Bank the amount to be paid for such series of Notes and deliver the Notes to the Bond Bank in the manner provided by law.

SECTION 7. A registrar and paying agent for the Notes (the "Registrar" and the "Paying Agent" and, in both such capacities, the "Registrar and Paying Agent") shall be appointed by the City Controller. The City Controller is hereby authorized to formulate and distribute a request for proposals with regard to the services of a Registrar and Paying Agent. The Registrar and Paying Agent is hereby charged with the performance of all duties and responsibilities customarily associated with the position of the Registrar and Paying Agent, including without limitation, the authentication of the Notes. The Mayor and the City Controller are hereby authorized and directed to enter into such agreements or understandings with the appointed Registrar and Paying Agent as will enable and facilitate the performance of its duties and responsibilities, and are authorized and directed to pay such fees as the Registrar and Paying Agent may reasonably charge for its services in such capacities, with such fees to be paid from available funds of the City. The City Controller may determine to serve as the Registrar and Paying Agent.

SECTION 8. The City-County Council hereby authorizes and directs any officers of the City, and each of them, for and on behalf of the City, and hereby authorizes and directs any officers of the County, and each of them, for and on behalf of the county, to take any actions as such officer determines is necessary or appropriate to consummate the transactions contemplated by or to accomplish the purposes of this Special Ordinance, such determination to be conclusively evidenced by such officer's taking of such action.

SECTION 9. The proceeds derived from the sale of each series of the Notes herein authorized to be issued and all investment earnings thereon shall be, and they hereby are, appropriated by the City-County Council for the purpose of procuring funds to pay for the Projects in accordance with previously approved appropriations of the various departments, agencies, and boards of the City requesting the issuance of the Notes by the City, including all expenses in connection with or on account of the issuance of Notes therefor. Such appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the activities described above. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

SECTION 10. The Clerk of the City-County Council is hereby authorized and directed to certify a copy of this Special Ordinance together with such other proceedings and actions as may be necessary to the Marion County Auditor for certification to the State Department of Local Government Finance for the purpose of complying with Indiana Code 6-1.1-18-5.

SECTION 11. This Special Ordinance shall rescind and repeal any portions of any special ordinances or general ordinances of the City or County which conflict with the terms hereof if the conflict would have a material adverse impact on the Notes or the security for the Notes.

SECTION 12. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

Proposal No. 390, 2006 was retitled GENERAL RESOLUTION NO. 12, 2006, and reads as follows:

August 7, 2006

CITY-COUNTY GENERAL RESOLUTION NO. 12, 2006

A GENERAL RESOLUTION (i) approving the issuance of limited recourse notes of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), for the purpose of paying the cost of redevelopment, including the construction of certain public infrastructure improvements, in the Near Eastside Redevelopment Area (the "Near Eastside Area"), and (ii) approving other matters related thereto.

WHEREAS, pursuant to the provisions of Indiana Code 36-7-15.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Near Eastside Area and designated a portion of the Near Eastside Area as the "Near Eastside Ho.T.I.F. Area" as an allocation area for purposes of Indiana Code 36-7-15.1-26 and Indiana Code 36-7-15.1-35 (the "Allocation Area"); and

WHEREAS, on July 19, 2006, the Commission adopted a Preliminary Note Resolution (Resolution No. 06-B-005) (the "Preliminary Note Resolution") pursuant to Indiana Code 5-1.4-8-6 authorizing the issuance of limited recourse notes of the District in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) and maturing not later than five (5) years from the date of issuance thereof (the "Notes"), the principal of and interest on which are payable from the bonds of the District, when and if issued, for the purpose of financing or refinancing the Project (as defined hereinafter), from taxes on real property located in the Allocation Area allocated and deposited in the allocation fund entitled "Near Eastside Ho.T.I.F. Allocation Area Special Fund" (the "Tax Increment"), and from revenues of the Commission, if any, legally available for the payment of principal of and interest on the Notes, for the purpose of procuring funds to be applied to the cost of redevelopment, including the construction of certain public infrastructure improvements in or serving the Allocation Area, together with expenses associated therewith and expenses in connection with or on account of the issuance of the Notes therefor (collectively, the "Project"); and

WHEREAS, the Notes are currently anticipated to be sold to The Indianapolis Local Public Improvement Bond Bank pursuant to the provisions of Indiana Code 5-1.4; and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Notes pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the Notes should be approved; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve (i) the Preliminary Note Resolution and (ii) the issuance of the Notes of the District upon the terms and conditions set forth herein and in the Commission's Final Note Resolution, payable from proceeds of bonds of the District, when and if issued, to finance or refinance the Project, from Tax Increment and from revenues of the Commission, if any, legally available for the payment of principal of and interest on the Notes, in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000), which amount does not exceed the estimated costs of the Project.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

Councillor Moriarty Adams stated that Councillor Bowes chaired the Public Safety and Criminal Justice Committee hearing on August 2, 2006 in her absence. She deferred to him to give the Committee report. Councillor Bowes reported that the Committee heard Proposal Nos. 396 and 397, 2006 on August 2, 2006. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 396, 2006. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, approves an increase of \$815,988 in the 2006 Budget of the Department of Public Safety, Director's Office (Non-Lapsing Federal Grants Fund) to support the Indiana Intelligence Fusion Center, a facility that serves as a link between federal, state and local law enforcement agencies in support of homeland security and counter-terrorism, financed by a federal grant. PROPOSAL NO. 397, 2006. The proposal, sponsored by Councillors Moriarty Adams,

McWhirter and Brown, approves an increase of \$2,002,973 in the 2006 Budget of the Department of Public Safety, Police Division (Federal Grant and Non-Lapsing Federal Grant Funds) to enhance community policing efforts through technology improvements, investigative equipment, Weed & Seed for the West Side and Martindale Brightwood; Gang Resistance Education and Training within Marion County Schools; Community Prosecution and partnerships with the Indiana Coalition Against Sexual Assault and The Julian Center, all financed by federal grants. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 8:57 p.m. There being no one present to testify, Councillor Bowes moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 396 and 397, 2006 were adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider*
0 NAYS:

Proposal No. 396, 2006 was retitled FISCAL ORDINANCE NO. 79, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 79, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Eight Hundred Fifteen Thousand Nine Hundred Eight-eight Dollars (\$815,988) in the Non-lapsing Federal Grant funds for purposes of the Department of Public Safety, Director's Office, and reducing certain other accounts and the unappropriated and unencumbered balance in those funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2006 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Director's Office, to appropriate a \$815,988 grant from Department of Homeland Security to support the Indiana Intelligence Fusion Center.

SECTION 2. The sum of Eight Hundred Fifteen Thousand Nine Hundred Eight-eight Dollars (\$815,988) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>DIRECTOR'S OFFICE</u>	<u>NON-LAPSING FEDERAL GRANTS</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	815,988
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	815,988

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	815,988
TOTAL REDUCTION	815,988

SECTION 5. There is no local match required for this grant.

August 7, 2006

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 397, 2006 was retitled FISCAL ORDINANCE NO. 80, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 80, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Two Million Two Thousand Nine Hundred Seventy-Three Dollars (\$2,002,973) in the Federal Grants and Non-lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing certain other accounts and the unappropriated and unencumbered balance in those funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2006 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division, for the following initiatives:

Non-Lapsing Federal Grants Fund

Westside Weed & Seed – Appropriation in the amount of \$200,000 to continue the Weed & Seed efforts in the Haughville, Hawthorne, and Stringtown neighborhoods. Funding will be used for sworn overtime, training and travel for all partners, law enforcement equipment and financial support for agencies working within the Weed & Seed site for prevention, intervention, treatment and neighborhood restoration – the Seeding efforts of Weed & Seed. The match requirement of \$66,670 will be met with Neighborhood Resource Officers working the project.

Martindale Brightwood Weed & Seed - Appropriation in the amount of \$175,000 to begin the Weed & Seed efforts in the Martindale Brightwood neighborhood. Funding will be used for sworn overtime, training and travel for all partners, law enforcement equipment and financial support for agencies working within the Weed & Seed site for prevention, intervention, treatment and neighborhood restoration – the Seeding efforts of Weed & Seed. The match requirement of \$58,344 will be met with Neighborhood Resource Officers working the project.

Project Safe Neighborhoods – Dangerous Drug Project – Appropriation of \$25,724 for the purchase of investigative equipment and supplies to support this equipment. There is no match.

Project Safe Neighborhoods Gang Grant – Appropriation of \$150,000 for significant district projects to curb the violence and crime caused by local gangs throughout the city. Funding will provide overtime and investigative equipment.

COPS – Technology Grant – Appropriation of \$197,446 for the WIN-ACE Property Branch project. Funding will replace defunct Property Branch evidence management software, covert all records from two existing data bases and purchase scanners, readers and laptops for new web-based electronic system. Funding also includes overtime funding for system development and implementation. There is no match.

Indiana Criminal Justice Institute – Pass Through Sub-Grants to:

ICJI-STOP – Appropriation in the amount of \$32,694 from Stop Violence Against Women Act for the Resident Therapy Program within The Julian Center Shelter. Funding will pay for the Therapist who will provide individual, group, art and/or family therapy. The Julian Center will pay the 25% match.

ICJI-VOCA – Appropriation in the amount of \$24,028 for The Julian Center from the Victims of Crime Act for the support of the coordination of children services including family advocacy, counseling and activities focused on education and development. Funding will pay for the Family Services Coordinator. The Julian Center will pay the 20% match.

ICJI-STOP – Appropriation in the amount of \$82,256 for the Indiana Coalition Against Sexual Assault, Inc. (INCASA) from Stop Violence Against Women Act for training and data collection by providing training material and increasing networking and partnership opportunities. Funding will provide financial support for the Training Director, professional trainers, analysis of data collection and operating expenses. The 25% match will be paid by INCASA

ICJI-VOCA – Appropriation in the amount of \$31,200 for the Indiana Coalition Against Sexual Assault, Inc. (INCASA) from Victims of Crime Act to implement a comprehensive strategy that provides victims of sex crimes with access to services and support. Funding will pay for INCASA staff and operating expenses. The 20% match will be paid by INCASA

Appropriation in the amount of \$834,625 from the Department of Justice, Bureau of Justice Assistance. This allocated block grant will fund technical, investigative and office equipment. Additionally, funding is requested for overtime for information technology programmers to assist with the migration to Microsoft Enterprise for public safety and consolidation applications. Data collection and reporting for required federal grant applications is also included within this appropriation request.

As part of the long standing agreement for City and County split of this grant, the Marion County Prosecutor will be sub-granted \$208,656 to enhance and continue the Community Prosecution Program.

There is no match for the Justice Assistance Grant.

Federal Grants Fund

Gang Resistance Education and Training (G.R.E.A.T) – Appropriation in the amount of \$250,000 for the PAL/Education Unit to provide G.R.E.A.T training in the elementary and junior high schools within Marion County. Funding will reimburse IPD for the salary of one Sergeant, provide funding for overtime to expand into Marion County schools, provide incentives for participation, supplies for classroom education and summer camp and expand the family component to include the Indiana Department of Corrections – Women’s Prison. Additionally, funding will include training for G.R.E.A.T. Officers and day trips for summer camps.

SECTION 2. The sum of Two Million Two Thousand Nine Hundred Seventy-Three Dollars (\$2,002,973) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

FEDERAL GRANTS FUND

1. Personal Services	125,490
2. Supplies	72,500
3. Other Services and Charges	52,010
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	250,000

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

NON-LAPSING FEDERAL GRANTS FUND

1. Personal Services	230,936
2. Supplies	15,903
3. Other Services and Charges	992,224
4. Capital Outlay	513,910
5. Internal Charges	<u>0</u>
TOTAL INCREASE	1,752,973

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered Federal Grants Fund	<u>250,000</u>
TOTAL REDUCTION	250,000

Unappropriated and Unencumbered Non-Lapsing Federal Grants Fund	<u>1,752,973</u>
TOTAL REDUCTION	1,752,973

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 363, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 363, 2006 on June 27, 2006. At the July 17, 2006 Council hearing, the proposal received an indecisive vote. The proposal, sponsored by Councillors Sanders, Conley, Brown, Gray and Nytes, enables the Controller to reserve a percentage of county agency funding out of the County General Fund. By a 3-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst moved, seconded by Councillor Bradford, to amend Proposal No. 363, 2006 by inserting in Section 135-299 after the words "any county agency" the words ", other than law enforcement and public safety agencies,". He said that every available dollar is needed for the public safety and law enforcement agencies, and their appropriations should not be held in reserve.

Councillor Sanders stated that there is a shortage in projected revenues, and this proposal will help to capture areas where there is underspending in non-essential services. She said there might be law enforcement agencies, such as the drug court, where there is underspending that could be used in other areas.

Councillor Randolph said that as he speaks another homicide in the city is being investigated. He said that he supports the proposed amendment.

Councillor Bradford agreed and said that the Mayor also supports not taking money from law enforcement, and he also supports the amendment.

Councillor Brown said that the amendment is unnecessary because the Mayor has pledged funds toward public safety and criminal justice.

Councillor Pfisterer said that she has no way of knowing what the drug court might need, and she would hate to withhold their dollar and prioritize for them and cause crime to therefore rise.

Councillor Sanders called for the question, seconded by Councillor Gibson. The motion to end debate carried on the following roll call vote; viz:

27 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy
2 NAYS: Brown, Plowman

The motion to amend Proposal No. 363, 2006 as per Councillor Borst's suggestion failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abdullallah, Bateman, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders

Councillor Sanders moved, seconded by Councillor Mansfield, for adoption. Proposal No. 363, 2006 was adopted on the following roll call vote; viz:

15 YEAS: Abdullallah, Bateman, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders

14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

Proposal No. 363, 2006 was retitled GENERAL ORDINANCE NO. 72, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 2006

A PROPOSAL FOR A GENERAL ORDINANCE to enable the Controller to reserve a percentage of county agency funding out of the County General Fund.

WHEREAS, pursuant to IC 36-3-5-2.7 and Section 202-201 of the "Revised Code of the Consolidated City and County," the Office of Finance and Management is responsible for budgeting and financial reporting for all county agencies; and

WHEREAS, the County Auditor controls all access to the FAMIS accounting system for the County and the County General Fund at this time is not current; and

WHEREAS, the Office of Finance and Management is neither able to determine county fund balances nor able to run current financial reports for county agencies due to the lack of reconciliation; and

WHEREAS, previous requests by the Office of Finance and Management to post budget reserves and budget revisions to FAMIS have gone unheeded; and

WHEREAS, the Auditor is mandated to make timely budget revisions by ordinance of the City County Council; and

WHEREAS, the 2006 budgeted expenditures from the County General Fund anticipate spending all 2006 revenues; and

WHEREAS, it has come to the attention of the Office of Finance and Management that certain appeals of assessments will result in material reductions in the 2006 property tax collections; and

WHEREAS, the County General Fund December 31, 2005 cash balance is not anticipated to be sufficient to cover any revenue shortfalls in 2006; and

WHEREAS, any material shortfall in revenues will result in a deficit balance of the County General Fund as of December 31, 2006; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 135 of the "Revised Code of the Consolidated City and County" regarding FUNDS hereby is amended by the addition of the language which is underscored, to read as follows:

Division 12. Reservation of County Agency Funds

Section 135-299. Reservation of County Agency Funds.

The City-County council hereby authorizes the Controller to reserve an amount no greater than five (5) percent of any county agency which receives funds from the County General Fund whenever the Controller determines there is uncertainty as to the availability of funds. The Marion County Auditor shall, upon request of the Controller, grant the Office of Finance and Management access to the Auditor's FAMIS accounting

system to post budget reserves as computed by the Office of Finance and Management and budget revisions as approved by ordinance of the City County Council. The Controller shall notify the Council prior to such action.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 338, 2006. Acting Chair Bowes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 338, 2006 on June 7, June 21 and August 2, 2006. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$125,000 in the 2006 Budget of the Marion County Public Defender Agency (County General Fund) to allow the agency to hire four (4) full time attorneys to work on cases involving termination of parental rights (TPR) and children in need of services (CHINS). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Bowes moved, seconded by Councillor Moriarty Adams, to strike. Proposal No. 338, 2006 was stricken by a unanimous voice vote.

PROPOSAL NO. 350, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 350, 2006 on July 18, 2006. The proposal, sponsored by Councillor Moriarty Adams, amends the Code regarding dealers in secondhand goods to include regulation of the sale of salvage or scrap metal. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mahern encouraged fellow Councillors to support the proposal.

Councillor Moriarty Adams said that this proposal will help in keeping metal being stolen from the City, as well as individuals.

Councillor Schneider asked if anyone has spoken to any scrap dealers to see how it will effect their bookkeeping practices. Councillor Boyd said that no scrap dealers came forward at the committee hearing, but he does not know if those conversations have taken place between the police and the scrap dealers.

Councillor Pfisterer said that she has known of incidents where aluminum siding has been stolen from a house to be sold as scrap metal, as well as a guard rail being removed and sold, which presents a safety hazard.

Councillor Salisbury asked how such a thing can be tracked when many dealers accept entire truckloads of scrap metal and salvage. He said that this could become a bookkeeping nightmare for dealers.

Councillor Bradford said that there are no receipts available in instances where an individual puts scrap metal out at the curb for scrap metal dealers to collect. He asked how this can be enforced. Councillor Moriarty Adams asked Indianapolis Police Department Deputy Chief Myers to explain enforcement. Chief Myers said that there is a card system in place, and this proposal would simply take away anonymity. He said that records would only be checked in the case where scrap metal was reported as stolen.

Councillor Borst agreed that it is a good idea, and thinks it would do more good than harm. He said he knows of an incident where all copper was stolen from a church and sold as scrap metal.

Councillor Brown said that this is simply another tool to help fight crime.

Councillor Mahern said that people's lives are being affected every day by this problem, and while it may seem small to some, to others, it is a big cost and a big problem.

Councillor Boyd said that the ordinance is not perfect, but it will help to combat the crime against personal property.

Councillor Randolph said that he is frustrated that more time is being spent in this meeting talking about scrap metal than was spent talking about taking 5% of appropriations away from public safety services. He called for the question, and Councillor Schneider seconded the motion. The motion to end debate carried by a unanimous voice vote.

Councillor Boyd moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 350, 2006 was adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider
0 NAYS:

Proposal No. 350, 2006 was retitled GENERAL ORDINANCE NO. 73, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 2006

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code for the purpose of regulating the sale of salvage or scrap metal.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 951-203 through 951-205 of the "Revised Code of the Consolidated City and County," regarding dealers in secondhand goods, hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 951-203. Record book to be kept.

(a) Every dealer in second hand goods under this article who deals in firearms, jewelry, electronic items or equipment, tools, salvage or scrap metal, or any item originally marked with a serial number shall keep a record book in which shall be legibly written in ink in the English language at the time of receiving any goods the following: An accurate description of the article received; the amount of money paid for it; the exact time of the transaction; and the name, residence, address, telephone number, age, color, height, weight, complexion, style of beard or mustache, any visible distinguishing marks, style of dress, and number of any license badge of the person delivering the goods to the dealer in secondhand goods.

(b) The record book required to be kept by subsection (a) shall be open to inspection at all reasonable times by the police or the controller.

Sec. 951-204. Card record for police.

(a) In addition to the record book required by this article, all dealers in secondhand goods under this article who deal in firearms, jewelry, electronic items or equipment, tools, salvage or scrap metal, or any item originally marked with a serial number shall fill out one (a) of the cards prescribed by subsection (b) for each article of firearm, jewelry, electronic items or equipment, tools, salvage or scrap metal, or any item originally marked with a serial number received. The dealer in second hand goods shall fill out the front of each card in its entirety and the description of the customer on the back. The

August 7, 2006

customer shall write in his own handwriting his name and address on the back of the card and place his right thumbprint in the space provided. If the right thumb is missing, any of the customer's fingerprints may be used. The thumbprint shall be made in the manner approved by the local law enforcement agency and shall not be blurred or obliterated.

- (b) The cards required by subsection (a) which are to be filled out shall be in the following form:

REPORT OF SECONDHAND
PROPERTY RECEIVED

Article _____
Serial No. _____
Maker's Name _____
Color, Style, Design _____
Marks and Further Description _____
Purchase Price _____
Dealer's Name _____
Location _____
Date Reported _____, ~~1920~~ _____

- (c) The back side of the card prescribed by subsection (b) shall be in the following form:

Signature _____
Address _____
Description of Customer--To be filled out by dealer _____
Sex _____ Age _____
Height _____ ft. _____ in.
Weight _____ lbs.
Race or Nationality _____
Clothing _____
Complexion _____
Right Thumbprint _____

- (d) These cards shall be mailed by the dealer in secondhand goods to the local law enforcement agency no later than the next business day after the item of personal property is received.

Sec. 951-205. Retention of acquired property.

All firearms, jewelry, electronic items and equipment, tools, salvage or scrap metal, or other items originally marked with a serial number received by a dealer in secondhand goods under this article shall be held intact by the dealer in secondhand goods for seven (7) business days after the dealer in secondhand goods has mailed the card to the local law enforcement agency as required by this article. Whenever any dealer in secondhand goods receives written notice, either from the police department or from an individual, that someone is maintaining a claim of right to possession of the firearm, jewelry, electronic items or equipment, tools, salvage or scrap metal, or other item originally marked with a serial number adverse to the dealer, the dealer shall keep the article in his possession or turn it over to the local law enforcement agency if so required by the local law enforcement agency. Once notice of an adverse claim to the article had been given under this section, the article shall be held for twenty (20) days, during which legal proceedings may be commenced to determine who is entitled to the property. If the matter is not settled or legal proceedings have not been commenced within twenty (20) days, the property shall be returned to the dealer in secondhand goods by the local law enforcement agency if held by them.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 391, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 391, 2006 on August 3, 2006. The proposal, sponsored by Councillors Sanders, Nytes, Abdullah, Mahern and Keller, approves the issuance of special taxing district bonds, notes or other obligations of the Redevelopment District payable from taxes on real property and certain personal property of designated taxpayers located in the Consolidated/Harding Street Redevelopment Allocation Area and from other revenues of the Metropolitan Development Commission, acting as the Redevelopment Commission, in order to fund capital improvements at the downtown canal. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Keller, for adoption. Proposal No. 391, 2006 was adopted on the following roll call vote; viz:

29 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider
0 NAYS:

Proposal No. 391, 2006 was retitled GENERAL RESOLUTION NO. 13, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 2006

A GENERAL RESOLUTION to fund capital improvements at the downtown canal by (i) approving the issuance of special taxing district bonds, notes or other obligations of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues, payable from taxes on real property and certain personal property of designated taxpayers located in the Consolidated/Harding Street Redevelopment Allocation Area allocated and deposited into the Consolidated Redevelopment Allocation Area Special Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, if any pledged pursuant to Indiana Code 36-7-15.1-17.5(c); and (ii) approving other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Consolidated Harding Street Redevelopment Area (the "Area"), pursuant to the provisions of Indiana Code 36-7-15.1; and

WHEREAS, pursuant to a Loan and Security Agreement between The Indianapolis Local Public Improvement Bond Bank and KeyBank National Association dated as of October 1, 2004 (the "Loan Agreement"), the Bond Bank issued notes and used the proceeds to purchase the City of Indianapolis, Indiana (the "City"), Redevelopment District Taxable Junior Subordinate Tax Increment Revenue Refunding Bonds of 2004, Series A, Series B and Series C, in the original aggregate principal amount of Forty-Six Million One Hundred Eighty-Five Thousand Dollars (\$46,185,000), issued pursuant to Resolution No. 04-R-57 adopted by the Commission on July 7, 2004 (the "2004 Taxable Bonds"), the proceeds of which were used to effect the current refunding of the City of Indianapolis Redevelopment District Taxable Refunding Bonds of 2003, Series A and Series B, and to fund certain improvements within the Consolidated/Harding Street Redevelopment Allocation Area; and

WHEREAS, the Loan Agreement authorizes the Commission through the Bond Bank to borrow an additional amount of up to Eight Million Dollars (\$8,000,000) at the same interest rate as that borne by the 2004 Taxable Bonds and upon the additional terms set forth in the Loan Agreement (the "Series D Notes"); and

WHEREAS, the MDC desires to finance the cost of constructing certain improvements in and serving the Consolidated/Harding Street Redevelopment Allocation Area, including construction of infrastructure improvements to the downtown canal and related improvements within the Consolidated/Harding Street Redevelopment Allocation Area (collectively, the "Projects"); and

WHEREAS, the MDC has available certain funds generated through certain hedge agreements entered into by the Bond Bank in connection with the issuance of bonds in 2002 by the Redevelopment District of the City of Indianapolis (the "Available Funds"), which Available Funds may be used for costs

August 7, 2006

of acquisition and redevelopment in or serving the Consolidated/Harding Street Redevelopment Area, including the Projects; and

WHEREAS, pursuant to City-County General Resolution No. 1, 2001 (Proposal No. 66, 2001), the Council required any project to be funded from the Available Funds (defined as a "2003 New Money Project") to be approved by the Council before such project is undertaken; and

WHEREAS, the MDC desires to use remaining Available Funds to pay for the costs of constructing all or a portion of the Projects, subject to approval by the Council as set forth above; and

WHEREAS, the Commission plans to adopt a 2006 Amended and Restated Junior Subordinate Final Bond Resolution (the "Junior Subordinate Bond Resolution"), which amends and restates the 1998 Junior Subordinate Final Bond Resolution (Resolution No. 98-D-82) of the Commission, as previously amended and supplemented, to permit the issuance of additional special taxing district bonds, notes or other obligations of the District, in one or more series or issues (the "2006 Junior Subordinate Bonds"), the principal of and interest on which are payable from taxes on real property and certain personal property of designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), for the purpose of procuring funds to be applied to (i) the payment of the cost of property acquisition, redevelopment and economic development in the Consolidated/Harding Street Redevelopment Area, including the total cost of all land, rights-of-way and other property to be acquired and redeveloped, all reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and redevelopment of the property or the issuance of the bonds, notes or other obligations, capitalized interest permitted under Indiana Code 36-7-15.1 and a debt service reserve for the bonds, notes or other obligations, to the extent that the Commission determines that a reserve is reasonably required, the total cost of all clearing and construction work to the extent so provided for by the Commission, and expenses that the Commission may be required or permitted to pay as "relocation assistance" under Indiana Code 8-23-17, including all or a portion of the costs of the Projects, and (ii) the payment of expenses associated therewith and expenses in connection with or on account of the issuance of the 2006 Junior Subordinate Bonds therefor (collectively, the "Project Costs"); and

WHEREAS, the 2006 Junior Subordinate Bonds are anticipated to be sold to the Bond Bank pursuant to the provisions of Indiana Code 5-1.4, and the Bond Bank anticipates purchasing the 2006 Junior Subordinate Bonds with the proceeds from the issuance of one or more series of the Series D Notes pursuant to the Loan Agreement (the "Bond Bank Bonds"), which Bond Bank Bonds may be secured by one more debt service reserve funds established by the Bond Bank that will be subject to Indiana Code 5-1.4-5-1 and Special Ordinance 67, 85 of the City-County Council; and

WHEREAS, the Bond Bank is considering the execution and delivery of one or more agreements such as interest rate swap agreements or options, cap, collar and floor agreements or other interest rate protection agreements with one or more qualified providers, the purpose of which would be to protect the Bond Bank and the Commission from the risk of any adverse change in interest rates on the Bond Bank Bonds and the 2006 Junior Subordinate Bonds prior to the issuance thereof (such agreements, collectively, the "Hedge Agreements"); and

WHEREAS, the Commission has requested the approval by the City-County Council of the use of the Available Funds for the costs of the Projects and issuance of the 2006 Junior Subordinate Bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the use of the Available Funds and the issuance of the 2006 Junior Subordinate Bonds should be approved; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve (i) the form of Junior Subordinate Bond Resolution; and (ii) the issuance of the 2006 Junior Subordinate Bonds of the District, in one or more series or issues, payable from taxes on real property and personal property of certain designated taxpayers located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to Indiana Code 36-7-15.1-26 and from other revenues of the Commission, if any, pledged pursuant to Indiana Code 36-7-15.1-17.5(c), in an original aggregate principal amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000), which amount does not exceed the estimated Project Costs.

SECTION 2. The Council does hereby approve the use of the Available Funds for the Project, and that such use of Available Funds shall be deemed a "2003 New Money Project," all in accordance with the provisions of City-County General Resolution No. 1, 2001.

SECTION 3. The City-County Council does hereby acknowledge and approve the execution and delivery of one or more Hedge Agreements.

SECTION 4. The City-County Council does hereby acknowledge that the Bond Bank Bonds and the Hedge Agreements may be supported by one or more debt service reserve funds that will be subject to the provisions of Indiana Code 5-1.4-5-1 and Special Ordinance 67, 85 of this City-County Council.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code Title 36, Article 3, Chapter 4, Section 14.

PROPOSAL NO. 394, 2006. Acting Chair Bowes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 394, 2006 on August 2, 2006. The proposal, sponsored by Councillors Brown, Gray, McWhirter, Moriarty Adams and Sanders, approves the issuance of one or more series of bonds and notes in an amount not to exceed \$45 million to finance the MECA communications system upgrade and other projects. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Bowes moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 394, 2006 was adopted on the following roll call vote; viz:

28 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy
1 NAY: Franklin

Proposal No. 394, 2006 was retitled GENERAL RESOLUTION NO. 14, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 14, 2006

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of Indianapolis Public Safety Communication Systems and Computer Facilities District Bonds and notes, each in the aggregate principal amount not to exceed Forty-Five Million Dollars (\$45,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Metropolitan Emergency Communications Agency ("MECA") Board ("Board"), being governed by the Indianapolis Public Safety Communication Systems and Computer Facilities District ("District") of the City of Indianapolis, Indiana ("City"), has determined that it is necessary to issue bonds ("Bonds") of the District in one or more series and notes ("Notes"), in one or more series, of the District each in the aggregate principal amount not to exceed Forty-Five Million Dollars (\$45,000,000) for the purposes of procuring funds to apply to the communications system upgrade, warning sirens, or any other project that MECA and the Board approve and including issuance costs of the Bonds and Notes as further described on Exhibit A ("Project"); and

WHEREAS, IC 36-8-15 requires the City-County Council to approve the issuance of bonds or notes by any special taxing district of the City; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the District, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Notes and the Bonds in a negotiated sale or sales subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that the issuance of the Notes and the Bonds by the District should be approved; now, therefore:

August 7, 2006

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA;

SECTION 1. The City-County Council does hereby approve the issuance of the Bonds and the Notes, in one or more series, of the District each in an aggregate principal amount not to exceed Forty-Five Million Dollars (\$45,000,000) to apply on the costs of the Project, and hereby approves the sale of the Notes and Bonds to the Bond Bank.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-8-15.

EXHIBIT A

Description of the Project

- Implementation of the Motorola ASTRO 25 digital technology 800 MHz Trunked Radio System
- Local entity match requirements for Federal and State Grant Funds
- Short-term note or other outstanding notes of the District retirement
- Emergency Warning Sirens
- Any other costs associated with the communications system upgrade project or other projects, which the Board may approve for inclusion in the financing

PROPOSAL NO. 395, 2006. Acting Chair Bowes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 395, 2006 on August 2, 2006. The proposal, sponsored by Councillors Moriarty Adams and Conley, approves a third amendment to the Marion County Sheriff's Department Personnel Retirement Plan. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Plowman asked for consent to abstain from voting to avoid the appearance of a conflict of interest. Consent was given.

Councillor Bowest moved, seconded by Councillor Sanders, for adoption. Proposal No. 395, 2006 was adopted on the following roll call vote; viz:

28 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy
0 NAYS:
1 NOT VOTING: Plowman

Proposal No. 395, 2006 was retitled GENERAL RESOLUTION NO. 15, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 15, 2006

A PROPOSAL FOR A GENERAL RESOLUTION to approve a third amendment to the Marion County Sheriff's Department Personnel Retirement Plan to provide that the death benefit for a Participant who enters the Deferred Retirement Option Program (DROP) after January 1, 2006 and dies in the line of duty, will be the same as if the participant had not participated in the DROP program.

WHEREAS, the Marion County Sheriff's Department Personnel Retirement Plan was established by the Marion County Sheriff's Department, Indianapolis, Indiana, effective January 1, 1963 and completely restated effective January 1, 2002; and

WHEREAS, by Section 11.01 of the Marion County Sheriff's Department Personnel Retirement Plan, the Marion County Sheriff's Department reserved the right to amend the plan as provided for by state law; and

WHEREAS, state law mandates that a department may not establish or modify a retirement plan without approval of the county fiscal body; now therefore,

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1: Pursuant to the specific authority granted by Indiana Code 36-8-10-12.2, the amendment to the Marion County Sheriff's Department Personnel Retirement Plan by Third Amendment to the Marion County Sheriff's Department Personnel Retirement Plan adopting an amendment to deferred retirement option program by providing that the death benefit for a Participant who enters the Deferred Retirement Option Program (DROP) on or after January 1, 2006 and dies in the line of duty, will be the same as if the participant had not participated in the DROP program shall be and hereby is approved.

SECTION 2: This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code Sec. 36-3-4-14.

PROPOSAL NO. 398, 2006. Acting Chair Bowes reported that the Public Safety and Criminal Justice Committee heard Proposal No. 398, 2006 on July 19, 2006. The proposal, sponsored by Councillor Oliver, requires the Sheriff to continue to work with the Criminal Justice Planning Council to determine the need for and number of jail beds needed in Marion County. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams moved to amend Proposal No. 398, 2006 with a complete substitution. She said that this amendment would authorize loans from the Sanitary Liquid Waste Fund to the County General Fund for \$1.1 million, as recommended by the Criminal Justice Planning Council (CJPC). She said that the coordinating appropriation proposal will be heard at the next committee hearing. Councillor Gibson seconded the motion. Proposal No. 398, 2006 was amended on the following roll call vote; viz:

29 YEAS: *Abduallah, Bateman, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider*
0 NAYS:

Councillor Borst said that that borrowing money from one area to fund another is not always popular. This, however, is a very tough situation. He said that the proposal should be restored to to the ordinance he first introduced. He said that this would allow the Council to approve the money for jail beds this evening. Community Corrections of Americal (CCA) can be ready with 200 extra jail beds. He added that his name was taken off of this proposal in committee when a substitute version was passed. He said that a sponsor's name cannot be taken off of a proposal, unless requested by that sponsor. He said that even as the proposal has changed, he still wants his name on this proposal as the initiating sponsor.

President Gray passed the gavel to Vice President Sanders.

Councillor Gray said that the funds are not available this evening, but this proposal allows the mechanism to make those funds available. He said that delaying action on the appropriation does not impeded getting those beds. He said that CCA can make those beds available at their own cost until the money is available to reimburse them.

Vice President Sanders returned the gavel to President Gray.

Councillor Moriarty Adams said that \$500,000 is coming from the Sheriff's commissary fund, and the Sheriff can approve the spending of those funds to act as a downpayment on those beds.

She added that she would be glad to welcome Councillor Borst as a co-sponsor on this proposal. Councillor Borst said that he is the initiating sponsor on this proposal and it should be the other way around.

Councillor Schneider asked if advertising requirements have been met to pass this proposal this evening. Aaron Haith, General Counsel, said that this is not a fiscal and does not have to be advertised, but that Proposal No. 422, 2006, which is the companion appropriation proposal, has been properly advertised.

Councillor Borst moved, seconded by Councillor Schneider, to restore Proposal No. 398, 2006 to the original proposal that he introduced.

Councillor Bowes said that the original ordinance funded beds located outside of Marion County. He added that there are cost and security issues involved when purchasing beds outside of the County.

Councillor Schneider said that if the Council is serious about getting a handle on crime and getting criminals off the street, the funds need to be appropriated tonight. He said that he feels County Prosecutor Carl Brizzi was treated extremely disrespectfully during the committee hearing and the proposal needs to be passed as introduced.

Councillor Borst said that he would be happy to take the Department of Corrections and CCA language out of his original proposal, but the Sheriff said Saturday in the emergency CJPC meeting that they might have to use these beds.

Councillor Bowes said that he sat through the committee and all were concerned about fighting crime and attacking this growing problem. He said that Prosecutor Brizzi was not treated disrespectfully in committee, but Mr. Brizzi was simply reluctant towards the introspection into the weaknesses in his own agency and instead laid the seven deaths on Hamilton Avenue at the Council's feet.

Councillor McWhirter said that Mr. Brizzi was not treated respectfully in committee and was aggressively attacked by Councillor Bowes. She said that Mr. Brizzi was not afforded the courtesy to listen to his views on what the criminal justice system needs. She said that she supports the amendment.

Councillor Nytes said that there seems to be no trouble in getting those jail beds available rapidly because of the long-standing relationship of the City with CCA.

Councillor Sanders called for the question, which was seconded by Councillor Gibson. The motion to end debate carried on the following roll call vote; viz:

26 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy
2 NAYS: Bradford, Plowman
1 NOT VOTING: Nytes

Councillor Borst's motion to amend Proposal No. 398, 2006 by restoring it to its original version failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

15 NAYS: Abdullallah, Bateman, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders

Councillor Bowes moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 398, 2006 was adopted on the following roll call vote; viz:

27 YEAS: Abdullallah, Bateman, Borst, Bowes, Boyd, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy

2 NAYS: Bradford, Cain

Proposal No. 398, 2006 was retitled SPECIAL ORDINANCE NO. 5, 2006, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 2006

A PROPOSAL FOR A SPECIAL ORDINANCE authorizing loans from the Sanitary Liquid Waste Fund to the County General Fund.

WHEREAS, IC 36-1-8-4 permits the fiscal body of a political subdivision to transfer a prescribed amount of funds, for a prescribed period of time, to a fund in need of money for cash flow purposes from another fund of the political subdivision under certain circumstances; and

WHEREAS, the City-County Council is the fiscal body of the Consolidated City of Indianapolis-Marion County and the Indianapolis Sanitary District; and

WHEREAS, IC 36-9-25-33(c) permits money belonging to the Sanitary District to be transferred as provided in IC 36-1-8-4; and

WHEREAS, the City-County Council hereby finds and determines that:

- (1) the loan from the Sanitary Liquid Waste Fund to the County General Fund is necessary to enhance the County General Fund for cash flow purposes;
- (2) there is sufficient money on deposit in the Sanitary Liquid Waste Fund that can be temporarily transferred to the County General Fund;
- (3) although the term of the loan would otherwise end on December 31, 2006, an emergency exists requiring the extension of the term of the loan to June 30, 2007, due to the immediate need to purchase additional jail beds to reduce the instances of early release of prisoners from the Marion County Jail;
- (4) only revenues derived from: (i) the levying and collection of property taxes or special taxes; or (ii) from operation of the Sanitary District will be included in the amounts to be loaned; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. (a) The City-County Council hereby authorizes the transfer of One Million One Hundred Thousand Dollars (\$1,100,000) from the Sanitary General Fund to the County General Fund in order to enhance the cash flow of the County General Fund.

(b) There are sufficient funds on deposit in the Sanitary Liquid Waste Fund in order to make the transfer.

(c) Because an emergency exists due to the immediate need to purchase additional jail beds to reduce the instances of early release of prisoners from the Marion County Jail, the temporary loan shall begin as soon as possible after the effective date of this ordinance and shall end no later than June 30, 2007, by which time the amount transferred under Section 1 (a) shall be returned to the Sanitary Liquid Waste Fund.

August 7, 2006

(d) Only revenues derived from: (i) the levying and collection of property taxes or special taxes; (ii) or from operations of the Sanitary District will be included in the amount transferred.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

NEW BUSINESS

Councilor Borst stated that a resolution was passed in June or May requesting a five-year plan to be presented to the Rules and Public Policy Committee by July 15, 2006 to help in budget discussion and preparation. He said that he has not yet seen this presented. Councillor Nytes said that the City has included a 5-year projection in the budget work, and they should be seeing this throughout the budget hearings.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Pfisterer in memory of Frank Spallina, David Simpson, Leona "Peg" Lamm, Gerald Leeds, Helen Mary Irwin, John Curran, and Edward Howard; and
- (2) All members of the Democrat Caucus in memory of Staff Sergeant Michael A. Dickinson; and
- (3) Councillor Oliver and Bateman in memory of Annie Mae Hamilton Rainey; and
- (4) Councillor Oliver in memory of James Harry Watts, Jr.; and
- (5) Councillor Cain in memory of Susannah Day.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of By Councillors Brown, Gray, Frank Spallina, David Simpson, Leona "Peg" Lamm, Gerald Leeds, Helen Mary Irwin, John Curran, Edward Howard, Conley, Oliver in memory of Jacquelyn Thurman. Staff Sergeant Michael A. Dickinson, Annie Mae Hamilton Rainey, James Harry Watts, Jr., and Susannah Day. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:49 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 7th day of August, 2006.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)